

Chapter 328

NOISE

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[HISTORY: Adopted by the Town Meeting of the Town of Hampton 3-11-2008 by Art. 33. Amendments noted where applicable.]

§ 328-1. Authority.

In accordance with the provisions of RSA 31:39, authorizing the Town of Hampton to enact bylaws, the following chapter is adopted by the Annual Town Meeting.

§ 328-2. Purpose.

The Annual Town Meeting of the Town of Hampton ordains that it is in the public interest and hereby establishes that it is public policy to regulate unnecessary noise.

§ 328-3. Unnecessary noise prohibited.

No person shall operate any vehicle in the Town of Hampton so as to make any loud, unusual or unnecessary noise as defined within this chapter.

§ 328-4. Definitions.

The following words shall have the following meanings:

LOUD, UNUSUAL OR UNNECESSARY NOISE — Includes any noise occasioned by any one or more of the following actions of or by the operator of any vehicle:

- A. Misuse of power exceeding the tire traction limits in acceleration, sometimes known as “peeling rubber”;
- B. Misuse of braking power exceeding tire traction limits in deceleration where there is no emergency;
- C. Rapid acceleration by means of quick upshifting of transmission gears with either clutch or manual transmission or automatic transmission;
- D. Rapid deceleration by means of quick downshifting of transmission gears with either clutch or manual transmission or automatic transmission;
- E. Racing engines by manipulation of the accelerator, gas pedal or carburetor or gear selection, whether the vehicle is either in motion or standing still;

- F. The excessive blowing of any horn, except as a warning signal, or the use of any other noisemaking device, whether the vehicle is in motion or standing still; or
- G. The playing of radios or cd, cassette tape, disk or other players so loud as to be annoying to others in the next car or in their yards or homes.

VEHICLE — Includes antique motor vehicle or motorcycle; automobile transporter; automobile transporter stringer-steered; automobile utility trailer; bus; combination vehicle; commercial motor vehicle; emergency vehicle; full trailer; heavy truck; construction equipment; light truck; mixed-use school bus; moped; motor truck; motor vehicle; motorcycle; motor-driven cycle; off-highway recreational vehicle (OHRV); private passenger vehicle; recreational vehicle; school bus; semitrailer; sidecar; single unit vehicle; ski area vehicle; snowmobile; special mobile equipment; street rod; tractor; tractor trailer; trailer; truck; truck-tractor; and vehicle, all as defined in RSA 259.

WAY — A way as defined in RSA 259:125, I and II.

§ 328-5. Hours of construction work.

Except for emergencies, and municipal vehicles or vehicles contracted by the Town to sweep streets, beach rakings, and collect solid waste and recycling materials, no person shall cause the construction, reconstruction, remodeling or demolition of a dwelling or structure, the digging up or the filling in or leveling or contouring of the ground, the breaking of pavements, concrete, stone or foundations, the excavation of streets, the operation of heavy equipment of any kind or the use of blasting or the driving of pile or jacking of pipes within the Town of Hampton before 7:00 in the a.m. or after 7:00 in the p.m. local time, Monday through Friday of any week, or before 9:00 in the a.m. or after 5:00 in the p.m. local time on any weekend or any holiday. [Amended 3-10-2015 ATM, Art. 37, ballot vote: Yes 1909, No 389]

§ 328-6. Severability.

If any section or part of a section or paragraph of this chapter is declared invalid or unconstitutional, said declaration shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this chapter unless the purposes of this chapter cannot be accomplished in the absence of the invalidated provision.

§ 328-7. Violations and penalties.

Any person found to be in violation of this chapter shall be guilty of a violation and upon conviction shall be fined not less than \$100 nor more than \$250 for each such offense or violation, such sums to inure to the general fund of the Town.

§ 328-8. When effective; repealer.

This chapter shall take effect upon its passage and shall repeal all other ordinances or portions of ordinances that may be in conflict with the provision herein enacted.